

## SHIRLEY LEEKE KILPATRICK

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MARCH 6, 1958.—Committed to the Committee of the Whole House and ordered to be printed

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Mr. WALTER, from the Committee on the Judiciary, submitted the following

### R E P O R T

[To accompany S. 2110]

The Committee on the Judiciary, to whom was referred the bill (S. 2110) for the relief of Shirley Leeke Kilpatrick, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Shirley Leeke Kilpatrick. The bill provides for the payment of the required visa fee.

#### GENERAL INFORMATION

The beneficiary of the bill is a 21-year-old native and citizen of Australia who entered the United States at Sweetgrass, Mont., from Canada on December 15, 1956, as a visitor. In February 1957 she was married to a United States citizen and presently resides with him in Lawton, Okla. He is stationed at Fort Sill, Okla., with the United States Army. The beneficiary is expecting a child in December 1957, and it is stated that in view of this situation and also the expense involved, it is quite impossible for her to take advantage of the preexamination procedure and to travel to Canada.

A letter, with attached memorandum, dated July 30, 1957, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the bill reads as follows:

DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
Washington, D. C., July 30, 1957.

Hon. JAMES O. EASTLAND,  
*Chairman, Committee on the Judiciary,*  
*United States Senate, Washington, D. C.*

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2110) for the relief of Shirley Leeke Kilpatrick, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Dallas, Tex., office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate quota.

It appears that the beneficiary is eligible for nonquota status and, if otherwise qualified, able to obtain a nonquota immigrant visa.

Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND  
NATURALIZATION SERVICE FILES RE SHIRLEY LEEKE KIL-  
PATRICK, BENEFICIARY OF S. 2110

The beneficiary, Shirley Leeke Kilpatrick, nee Leeke, a native and citizen of Australia, was born on February 5, 1936, in Sydney, Australia. She was married on February 22, 1957, in Salt Lake City, Utah, to Ronald Robert Kilpatrick, a native-born United States citizen. She lives with her husband at 1415½ Columbia Avenue, Lawton, Okla. They are expecting their first child in December 1957.

Mrs. Kilpatrick has a high-school education. She resided in Australia from birth until July 1956 and in Canada from July until December 1956. Her closest relative is her father, Charles Weston Leeke, who lives in Australia. The beneficiary first met her husband in Australia when he was on a missionary assignment there for 2 years. He is an ordained minister of the Church of Jesus Christ of Latter-day Saints.

The beneficiary's husband is in the United States Army presently stationed at Fort Sill, Okla. His rating is private, E-2, and his aggregate pay is \$171.30 per month. The beneficiary and her husband are free of any outstanding personal indebtedness. They have no savings or any property of appreciable value. She is a housewife.

The beneficiary entered the United States at Sweetgrass, Mont., as a temporary visitor for pleasure on December 1956, and was admitted to May 14, 1957. She has not been granted an extension of stay. The beneficiary has violated her nonimmigrant status by manifesting an intention to remain permanently in the United States. Deportation proceedings will be instituted in her case.

Senator Arthur V. Watkins, the author of the bill, has submitted the following information in connection with the case:

FORT SILL, OKLA., May 8, 1957.

Senator ARTHUR V. WATKINS,  
*United States Senate,*  
*Washington, D. C.*

DEAR SIR: I am writing you in connection with a serious problem that confronts my wife and I at this time. It is one which we find ourselves hardly able to cope with. We are hoping that you as our representative in Washington can help us.

At present, I am serving 2 years in the United States Army—having been drafted last October. I am stationed here at Fort Sill, Okla., and my wife is with me. We are active in the Fort Sill branch of the Church of Jesus Christ of Latter-day Saints. I served 2 years on a mission for the church in Australia, and it was there that I met my wife.

My wife is not a citizen of the United States, and was admitted into this country last December on a visiting visa, good for 5 months. She entered the country through Sweetgrass, Mont., and informed the authorities there that the purpose of her visit was marriage to myself as an American citizen. On this basis she was granted the above visa. Previously, she was informed by the American consulate in Calgary, Alberta, Canada, that any change in marital status was to be reported immediately to them so that application could be made for permanent visa. We were married on February 22, 1957, and notified the American consulate at Calgary. They sent forms to be filled out in application, or so we understood, for a permanent visa. We heard nothing thereafter.

Lawton, a smaller city close to Fort Sill, has no immigration officer, and apparently is serviced in this respect from Dallas, Tex. However, the officer from Dallas only visits here once every few months. Because we heard no further word from Calgary, and being as the expiration date (May 14, 1957) of the visa was approaching, we made every effort of inquiry at the Lawton courthouse. But this was to no avail because there was no immigration officer here and no one else could advise us.

Yesterday said officer came from Dallas. He informed us that my wife would have to leave the country to apply for a permanent visa.

Sir, I only draw a private's wages. My wife cannot work because she is prohibited from doing so under immigration law. We find it extremely difficult to meet the common obligations of rent, food, bills, etc., let alone finance a trip to Canada for my wife and support her while she is there.

Also, there is a possibility that my wife is 2 months pregnant, although we have no medical certificate of it. There is considerable danger of miscarriage in the event of extensive travel by a woman in this condition.

In inquiring of, and explaining our situation to the immigration officer, not only did he treat our case lightly and with apparent disregard, but he accused my wife of being untruthful in acquiring the visiting visa. This is not so, and it made us both very angry.

Can you advise me as to my rights? Isn't there something we can do, in view of the circumstances, to secure a permanent visa per medium of the mail? I am in the service of the United States Government and, therefore, am placed in a low-income bracket. Now this

same Government is requiring me to perform something which it has rendered me financially unable to do.

We have been told that my wife must leave the country within this very month, even the 14th of May. I must have your reply before then.

Our home is in Salt Lake City. My wife's name is Shirley Leeke Kilpatrick, Leeke being her maiden name. Please can you help us, our need is very urgent?

Hopefully awaiting your immediate reply, I remain,

RONALD R. KILPATRICK,  
1415 Columbia Avenue, Lawton, Okla.

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FORT SILL, OKLA., May 17, 1957.

Senator ARTHUR V. WATKINS,  
*United States Senate,*  
*Washington, D. C.*

DEAR SIR: I received your letter dated May 13, and am encouraged with its contents. My wife and I are very grateful to you for the help you are rendering, and we hope some day to meet you, to verbally express our thanks.

It is our desire that you continue in introducing the bill in behalf of my wife. Enclosed please find the information you requested.

This afternoon, we visited the doctor and are now certain that my wife is pregnant. We now have a written statement to the fact, which also includes his recommendation that she refrain from traveling. At this time it would present serious economical difficulties, as well as health difficulties to both mother and child, to send my wife to Canada. Perhaps several months into the future such a trip would be possible; and in such case, this preexamination would be particularly applicable. However, this is entirely theoretical, please proceed with the bill.

You have informed us that introduction of and action on the bill forestalls any deportation. From this do we understand that my wife needs no written authority, visa, or other documents to remain with me? We are quite anxious about this. It is possible to obtain an official written certificate or statement, authorizing her to remain in the country—something on paper that we can produce if it becomes necessary?

We want to keep in touch with you regarding this whole matter, that both we here and you may be mutually aware of its progress and any change.

Once again please accept of our gratitude. We await your reply.

Sincerely,

RONALD R. KILPATRICK,  
1415 Columbia Avenue, Lawton, Okla.

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#### INFORMATION REQUESTED

Ronald Robert Kilpatrick, birth date: January 28, 1934;  
birth place: Salt Lake City, Utah.

Shirley (Leeke) Kilpatrick, birth date: February 5, 1936;  
birth place: Sydney, New South Wales, Australia; date and



location of entry into the United States: December 15, 1956,  
Sweetgrass, Mont.

Married: February 22, 1957, in the Salt Lake Temple,  
Salt Lake City, Utah.

Senator Watkins supplied the House Committee on the Judiciary  
with the following letter in support of his bill:

UNITED STATES SENATE,  
COMMITTEE ON THE JUDICIARY,  
*Washington, D. C., January 6, 1958.*

HON. FRANCIS E. WALTER,  
*Chairman, House Immigration Subcommittee,  
House Office Building, Washington, D. C.*

DEAR CONGRESSMAN WALTER: I am writing you this note in behalf  
of the Ronald R. Kilpatrick family for whom I introduced a private  
immigration bill last May.

The number of the bill is S. 2110, and it was passed by the Senate  
on August 26. I understand that the bill is now before your sub-  
committee awaiting action.

Ronald R. Kilpatrick, one of my constituents, married an Australian  
girl who was visiting in this country. Mr. Kilpatrick subsequently  
was inducted into the Armed Forces and he is now a private stationed  
at Fort Sill, Okla., making \$170 per month. His wife, the beneficiary  
of the bill, is living with him in a small apartment located off the  
grounds of Fort Sill. She is not working and her husband, as stated  
above, is making only \$170 a month. The couple have a 6-weeks-old  
baby and Mrs. Kilpatrick spends her full time caring for the baby  
and the husband. Although the privilege of preexamination would  
undoubtedly be open to this worthy couple, in view of the strained  
financial circumstances of the family and the burden which would be  
imposed upon the mother and child in making the trip to Canada, the  
Senate felt that the passage of a private bill was justified in this case.

I would sincerely appreciate favorable action by your subcommittee  
on this bill.

Sincerely,

ARTHUR V. WATKINS.

Upon consideration of all the facts in this case, the committee is  
of the opinion that S. 2110 should be enacted and accordingly recom-  
mends that it do pass.



